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ARTICLE 5

70.11

DRIVER AND VEHICLE SERVICES CONFORMING CHANGES

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Section 1. Minnesota Statutes 2022, section 168.013, subdivision 8, is amended to read:

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Subd. 8. **Tax proceeds to highway user fund; fee proceeds to vehicle services account.** (a) Unless otherwise specified in this chapter, the net proceeds of the registration tax imposed under this chapter must be collected by the commissioner, paid into the state treasury, and credited to the highway user tax distribution fund.

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(b) All fees collected under this chapter, unless otherwise specified, must be deposited in the driver and vehicle services operating account ~~in the special revenue fund~~ under section 299A.705.

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Sec. 2. Minnesota Statutes 2022, section 168.1293, subdivision 7, is amended to read:

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Subd. 7. **Deposit of fee; appropriation.** The commissioner shall deposit the application fee under subdivision 2, paragraph (a), clause (3), in the driver and vehicle services operating account ~~of the special revenue fund~~ under section 299A.705. An amount sufficient to pay the department's cost in implementing and administering this section, including payment of refunds under subdivision 4, is appropriated to the commissioner from that account.

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Sec. 3. Minnesota Statutes 2022, section 168.1295, subdivision 5, is amended to read:

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Subd. 5. **Contribution and fees credited.** Contributions under subdivision 1, paragraph (a), clause (5), must be paid to the commissioner and credited to the state parks and trails donation account established in section 85.056. The other fees collected under this section must be deposited in the driver and vehicle services operating account ~~of the special revenue fund~~ under section 299A.705.

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Sec. 4. Minnesota Statutes 2022, section 168.1296, subdivision 5, is amended to read:

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Subd. 5. **Contribution and fees credited.** Contributions under subdivision 1, paragraph (a), clause (5), must be paid to the commissioner and credited to the Minnesota critical habitat private sector matching account established in section 84.943. The fees collected under this section must be deposited in the driver and vehicle services operating account ~~of the special revenue fund~~ under section 299A.705.

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Sec. 5. Minnesota Statutes 2022, section 168.1298, subdivision 5, is amended to read:

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Subd. 5. **Contribution and fees credited.** Contributions under subdivision 1, paragraph (a), clause (5), must be paid to the commissioner and credited to the Minnesota "Support Our Troops" account established in section 190.19. The fees collected under this section must be deposited in the driver and vehicle services operating account ~~in the special revenue fund~~ under section 299A.705.

71.15 Sec. 6. Minnesota Statutes 2022, section 168.27, subdivision 11, is amended to read:

71.16 Subd. 11. **Dealers' licenses; location change notice; fee.** (a) Application for a dealer's

71.17 license or notification of a change of location of the place of business on a dealer's license

71.18 must include a street address, not a post office box, and is subject to the commissioner's

71.19 approval.

71.20 (b) Upon the filing of an application for a dealer's license and the proper fee, unless the

71.21 application on its face appears to be invalid, the commissioner shall grant a 90-day temporary

71.22 license. During the 90-day period following issuance of the temporary license, the

71.23 commissioner shall inspect the place of business site and insure compliance with this section

71.24 and rules adopted under this section.

71.25 (c) The commissioner may extend the temporary license 30 days to allow the temporarily

71.26 licensed dealer to come into full compliance with this section and rules adopted under this

71.27 section.

71.28 (d) In no more than 120 days following issuance of the temporary license, the dealer

71.29 license must either be granted or denied.

71.30 (e) A license must be denied under the following conditions:

72.1 (1) The license must be denied if within the previous ten years the applicant was enjoined

72.2 due to a violation of section 325F.69 or convicted of violating section 325E.14, 325E.15,

72.3 325E.16, or 325F.69, or convicted under section 609.53 of receiving or selling stolen

72.4 vehicles, or convicted of violating United States Code, title 49, sections 32701 to 32711 or

72.5 pleaded guilty, entered a plea of nolo contendere or no contest, or has been found guilty in

72.6 a court of competent jurisdiction of any charge of failure to pay state or federal income or

72.7 sales taxes or felony charge of forgery, embezzlement, obtaining money under false pretenses,

72.8 theft by swindle, extortion, conspiracy to defraud, or bribery.

72.9 (2) A license must be denied if the applicant has had a dealer license revoked within the

72.10 previous ten years.

72.11 (f) If the application is approved, the commissioner shall license the applicant as a dealer

72.12 for one year from the date the temporary license is granted and issue a certificate of license

72.13 that must include a distinguishing number of identification of the dealer. The license must

72.14 be displayed in a prominent place in the dealer's licensed place of business.

72.15 (g) Each initial application for a license must be accompanied by a fee of \$100 in addition

72.16 to the annual fee. The annual fee is \$150. The initial fees and annual fees must be paid into

72.17 the state treasury and credited to the general fund except that \$50 of each initial and annual

72.18 fee must be paid into the driver and vehicle services operating account in the special revenue

72.19 fund and under section 299A.705.

73.10 Sec. 8. Minnesota Statutes 2022, section 168.327, subdivision 5b, is amended to read:

73.11 Subd. 5b. **Custom data request record fees.** (a) For purposes of this subdivision,
73.12 "custom data request records" means a total of 1,000 or more (1) vehicle title records, (2)
73.13 vehicle registration records, or (3) driver's license records.

73.14 (b) The commissioner must charge a fee of \$0.02 per record for custom data request
73.15 records.

73.16 (c) Of the fees collected for custom data request records:

73.17 (1) 20 percent must be credited:

73.18 ~~(i) for vehicle title or registration records, to the driver and vehicle services operating~~
73.19 ~~account under section 299A.705, subdivision 1, and is appropriated to the commissioner~~
73.20 ~~for the purposes of this subdivision; and~~

73.21 ~~(ii) for driver's license records, to the driver services operating account under section~~
73.22 ~~299A.705, subdivision 2, and is appropriated to the commissioner for the purposes of this~~
73.23 ~~subdivision;~~

73.24 (2) 30 percent must be credited to the data security account in the special revenue fund
73.25 under section 3.9741, subdivision 5; and

73.26 (3) 50 percent must be credited to the driver and vehicle services technology account
73.27 under section 299A.705, subdivision 3.

73.28 (d) The commissioner may impose an additional fee for technical staff to create a custom
73.29 set of data under this subdivision.

74.1 Sec. 9. Minnesota Statutes 2022, section 168.381, subdivision 4, is amended to read:

74.2 Subd. 4. **Appropriations.** (a) Money appropriated to the Department of Public Safety
74.3 to procure the plates for any fiscal year or years is available for allotment, encumbrance,
74.4 and expenditure from and after the date of the enactment of the appropriation. Materials
74.5 and equipment used in the manufacture of plates are subject only to the approval of the
74.6 commissioner.

74.7 (b) This section contemplates that money to be appropriated to the Department of Public
74.8 Safety to carry out the terms and provisions of this section will be appropriated by the
74.9 legislature from the highway user tax distribution fund.

74.10 (c) A sum sufficient is appropriated annually from the driver and vehicle services
74.11 operating account in the special revenue fund under section 299A.705 to the commissioner
74.12 to pay the costs of purchasing, delivering, and mailing plates, registration stickers, and
74.13 registration notices.

74.14 Sec. 10. Minnesota Statutes 2022, section 168A.152, subdivision 2, is amended to read:

74.15 Subd. 2. **Inspection fee; proceeds allocated.** (a) A fee of \$35 must be paid to the

74.16 department before the department issues a certificate of title for a vehicle that has been

74.17 inspected and for which a certificate of inspection has been issued pursuant to subdivision

74.18 1. The only additional fee that may be assessed for issuing the certificate of title is the filing

74.19 fee imposed under section 168.33, subdivision 7.

74.20 (b) Of the fee collected by the department under this subdivision, for conducting

74.21 inspections under subdivision 1, \$20 must be deposited in the general fund and the remainder

74.22 of the fee collected must be deposited in the driver and vehicle services operating account

74.23 ~~in the special revenue fund as specified in~~ under section 299A.705.

74.24 Sec. 11. Minnesota Statutes 2022, section 168A.29, subdivision 1, is amended to read:

74.25 Subdivision 1. **Amounts.** (a) The department must be paid the following fees:

74.26 (1) for filing an application for and the issuance of an original certificate of title, \$8.25,

74.27 of which \$4.15 must be paid into the driver and vehicle services operating account under

74.28 section 299A.705, subdivision 1, and a surcharge of \$2.25 must be added to the fee and

74.29 credited to the driver and vehicle services technology account under section 299A.705,

74.30 subdivision 3;

74.31 (2) for each security interest when first noted upon a certificate of title, including the

74.32 concurrent notation of any assignment thereof and its subsequent release or satisfaction,

75.1 \$2, except that no fee is due for a security interest filed by a public authority under section

75.2 168A.05, subdivision 8;

75.3 (3) for each assignment of a security interest when first noted on a certificate of title,

75.4 unless noted concurrently with the security interest, \$1; and

75.5 (4) for issuing a duplicate certificate of title, \$7.25, of which \$3.25 must be paid into

75.6 the driver and vehicle services operating account under section 299A.705, subdivision 1,

75.7 and a surcharge of \$2.25 must be added to the fee and credited to the driver and vehicle

75.8 services technology account under section 299A.705, subdivision 3.

75.9 (b) In addition to the fee required under paragraph (a), clause (1), the department must

75.10 be paid \$3.50. The additional \$3.50 fee collected under this paragraph must be deposited

75.11 in the special revenue fund and credited to the public safety motor vehicle account established

75.12 in section 299A.70.

75.13 Sec. 12. Minnesota Statutes 2022, section 168A.31, subdivision 2, is amended to read:

75.14 Subd. 2. **Expenses; appropriation.** All necessary expenses incurred by the department

75.15 for the administration of sections 168A.01 to 168A.31 must be paid from money in the

75.16 driver and vehicle services operating account of the special revenue fund as specified in

75.17 under section 299A.705, and such funds are hereby appropriated.

75.18 Sec. 13. Minnesota Statutes 2022, section 168D.06, is amended to read:

75.19 **168D.06 FUEL LICENSE FEES.**

75.20 License fees paid to the commissioner under the International Fuel Tax Agreement must
75.21 be deposited in the driver and vehicle services operating account ~~in the special revenue fund~~
75.22 under section 299A.705. The commissioner shall charge an annual fuel license fee of \$15,
75.23 an annual application filing fee of \$13 for quarterly reporting of fuel tax, and a reinstatement
75.24 fee of \$100 to reinstate a revoked International Fuel Tax Agreement license.

75.25 Sec. 14. Minnesota Statutes 2022, section 168D.07, is amended to read:

75.26 **168D.07 FUEL DECAL FEE.**

75.27 The commissioner shall issue a decal or other identification to indicate compliance with
75.28 the International Fuel Tax Agreement. The commissioner shall collect a fee for the decal
75.29 or other identification in the amount established in section 168.12, subdivision 5. Decal or
75.30 other identification fees paid to the commissioner under this section must be deposited in
76.1 the driver and vehicle services operating account ~~in the special revenue fund~~ under section
76.2 299A.705.

76.3 Sec. 15. Minnesota Statutes 2022, section 169A.60, subdivision 16, is amended to read:

76.4 Subd. 16. **Fees credited.** Fees collected from the sale or reinstatement of license plates
76.5 under this section must be paid into the state treasury and credited one-half to the driver
76.6 and vehicle services operating account ~~in the special revenue fund specified in~~ under section
76.7 299A.705 and one-half to the general fund.

76.8 Sec. 16. Minnesota Statutes 2022, section 171.07, subdivision 11, is amended to read:

76.9 Subd. 11. **Standby or temporary custodian.** (a) Upon the written request of the applicant
76.10 and upon payment of an additional fee of \$4.25, the department shall issue a driver's license
76.11 or Minnesota identification card bearing a symbol or other appropriate identifier indicating
76.12 that the license holder has appointed an individual to serve as a standby or temporary
76.13 custodian under chapter 257B.

76.14 (b) The request must be accompanied by a copy of the designation executed under section
76.15 257B.04.

76.16 (c) The department shall maintain a computerized records system of all individuals listed
76.17 as standby or temporary custodians by driver's license and identification card applicants.
76.18 This data must be released to appropriate law enforcement agencies under section 13.69.
76.19 Upon a parent's request and payment of a fee of \$4.25, the department shall revise its list
76.20 of standby or temporary custodians to reflect a change in the appointment.

76.21 (d) At the request of the license or cardholder, the department shall cancel the standby
76.22 or temporary custodian indication without additional charge. However, this paragraph does

76.23 not prohibit a fee that may be applicable for a duplicate or replacement license or card,
76.24 renewal of a license, or other service applicable to a driver's license or identification card.

76.25 (e) Notwithstanding sections 13.08, subdivision 1, and 13.69, the department and
76.26 department employees are conclusively presumed to be acting in good faith when employees
76.27 rely on statements made, in person or by telephone, by persons purporting to be law
76.28 enforcement and subsequently release information described in paragraph (b). When acting
76.29 in good faith, the department and department personnel are immune from civil liability and
76.30 not subject to suit for damages resulting from the release of this information.

76.31 (f) The department and its employees:

77.1 (1) have no duty to inquire or otherwise determine whether a designation submitted
77.2 under this subdivision is legally valid and enforceable; and

77.3 (2) are immune from all civil liability and not subject to suit for damages resulting from
77.4 a claim that the designation was not legally valid and enforceable.

77.5 (g) Of the fees received by the department under this subdivision:

77.6 (1) Up to \$61,000 received must be deposited in the general fund.

77.7 (2) All other fees must be deposited in the driver and vehicle services operating account
77.8 ~~in the special revenue fund specified in under~~ section 299A.705.

77.9 Sec. 17. Minnesota Statutes 2022, section 171.13, subdivision 7, is amended to read:

77.10 Subd. 7. **Examination fees.** (a) A fee of \$10 must be paid by an individual to take a
77.11 third and any subsequent knowledge test administered by the department if the individual
77.12 has failed two previous consecutive knowledge tests on the subject.

77.13 (b) A fee of \$20 must be paid by an individual to take a third and any subsequent skills
77.14 or road test administered by the department if the individual has previously failed two
77.15 consecutive skill or road tests in a specified class of motor vehicle.

77.16 (c) A fee of \$20 must be paid by an individual who fails to appear for a scheduled skills
77.17 or road test or who cancels a skills or road test within 24 hours of the appointment time.

77.18 (d) All fees received under this subdivision must be paid into the state treasury and
77.19 credited to the driver and vehicle services operating account ~~in the special revenue fund~~
77.20 ~~specified~~ under section 299A.705.

78.1 Sec. 19. Minnesota Statutes 2022, section 171.29, subdivision 2, is amended to read:

78.2 Subd. 2. **Reinstatement fees and surcharges allocated and appropriated.** (a) An
78.3 individual whose driver's license has been revoked by reason of one or more convictions,
78.4 pleas of guilty, forfeitures of bail not vacated, or mandatory revocations under section
78.5 169.791, 169.792, 169.797, 171.17, or 171.172, and who is otherwise eligible for
78.6 reinstatement must pay a single \$30 fee before the driver's license is reinstated. An individual

78.7 whose driver's license has been revoked under provisions specified in both this paragraph
78.8 and paragraph (b) must pay the reinstatement fee as provided in paragraph (b).

78.9 (b) A person whose driver's license has been revoked under section 169A.52, 169A.54,
78.10 171.177, 609.2112, 609.2113, or 609.2114, or Minnesota Statutes 2012, section 609.21,
78.11 must pay a \$250 fee plus a \$430 surcharge for each instance of revocation before the driver's
78.12 license is reinstated, except as provided in paragraph (f). The \$250 fee must be credited as
78.13 follows:

78.14 (1) 20 percent to the driver and vehicle services operating account in the special revenue
78.15 ~~fund as specified in~~ under section 299A.705;

78.16 (2) 67 percent to the general fund;

78.17 (3) eight percent to a separate account to be known as the Bureau of Criminal
78.18 Apprehension account. Money in this account is annually appropriated to the commissioner
78.19 of public safety and the appropriated amount must be apportioned 80 percent for laboratory
78.20 costs and 20 percent for carrying out the provisions of section 299C.065; and

78.21 (4) five percent to a separate account to be known as the vehicle forfeiture account,
78.22 which is created in the special revenue fund. The money in the account is annually
78.23 appropriated to the commissioner for costs of handling vehicle forfeitures.

78.24 (c) The revenue from \$50 of the surcharge must be credited to a separate account to be
78.25 known as the traumatic brain injury and spinal cord injury account. The revenue from \$50
78.26 of the surcharge on a reinstatement under paragraph (f) is credited from the first installment
78.27 payment to the traumatic brain injury and spinal cord injury account. The money in the
78.28 account is annually appropriated to the commissioner of health to be used as follows: 83
78.29 percent for contracts with a qualified community-based organization to provide information,
78.30 resources, and support to assist persons with traumatic brain injury and their families to
78.31 access services, and 17 percent to maintain the traumatic brain injury and spinal cord injury
78.32 registry created in section 144.662. For the purposes of this paragraph, a "qualified
78.33 community-based organization" is a private, not-for-profit organization of consumers of
78.34 traumatic brain injury services and their family members. The organization must be registered
79.1 with the United States Internal Revenue Service under section 501(c)(3) as a tax-exempt
79.2 organization and must have as its purposes:

79.3 (1) the promotion of public, family, survivor, and professional awareness of the incidence
79.4 and consequences of traumatic brain injury;

79.5 (2) the provision of a network of support for persons with traumatic brain injury, their
79.6 families, and friends;

79.7 (3) the development and support of programs and services to prevent traumatic brain
79.8 injury;

79.9 (4) the establishment of education programs for persons with traumatic brain injury; and

79.10 (5) the empowerment of persons with traumatic brain injury through participation in its
79.11 governance.

79.12 A patient's name, identifying information, or identifiable medical data must not be disclosed
79.13 to the organization without the informed voluntary written consent of the patient or patient's
79.14 guardian or, if the patient is a minor, of the parent or guardian of the patient.

79.15 (d) The remainder of the surcharge must be credited to a separate account to be known
79.16 as the remote electronic alcohol-monitoring program account. The commissioner shall
79.17 transfer the balance of this account to the commissioner of management and budget on a
79.18 monthly basis for deposit in the general fund.

79.19 (e) When these fees are collected by a driver's license agent, appointed under section
79.20 171.061, a filing fee is imposed in the amount specified under section 171.061, subdivision
79.21 4. The reinstatement fees, surcharge, and filing fee must be deposited in an approved
79.22 depository as directed under section 171.061, subdivision 4.

79.23 (f) A person whose driver's license has been revoked as provided in subdivision 1 under
79.24 section 169A.52, 169A.54, or 171.177 may choose to pay 50 percent and an additional \$25
79.25 of the total amount of the surcharge and 50 percent of the fee required under paragraph (b)
79.26 to reinstate the person's driver's license, provided the person meets all other requirements
79.27 of reinstatement. If a person chooses to pay 50 percent of the total and an additional \$25,
79.28 the driver's license must expire after two years. The person must pay an additional 50 percent
79.29 less \$25 of the total to extend the license for an additional two years, provided the person
79.30 is otherwise still eligible for the license. After this final payment of the surcharge and fee,
79.31 the license may be renewed on a standard schedule, as provided under section 171.27. A
79.32 filing fee may be imposed for each installment payment. Revenue from the filing fee is
80.1 credited to the driver and vehicle services operating account ~~in the special revenue fund~~
80.2 under section 299A.705 and is appropriated to the commissioner.

80.3 (g) Any person making installment payments under paragraph (f), whose driver's license
80.4 subsequently expires, or is canceled, revoked, or suspended before payment of 100 percent
80.5 of the surcharge and fee, must pay the outstanding balance due for the initial reinstatement
80.6 before the driver's license is subsequently reinstated. Upon payment of the outstanding
80.7 balance due for the initial reinstatement, the person may pay any new surcharge and fee
80.8 imposed under paragraph (b) in installment payments as provided under paragraph (f).

80.9 Sec. 20. Minnesota Statutes 2022, section 171.36, is amended to read:

80.10 **171.36 LICENSE FEES; RENEWAL.**

80.11 All licenses expire one year from the date of issuance and may be renewed upon
80.12 application to the commissioner. Each application for an original or renewal school license
80.13 must be accompanied by a fee of \$150 and each application for an original or renewal
80.14 instructor's license must be accompanied by a fee of \$50. The license fees collected under
80.15 sections 171.33 to 171.41 must be paid into the driver and vehicle services operating account

80.16 ~~in the special revenue fund specified~~ under section 299A.705. A license fee must not be
80.17 refunded in the event that the license is rejected or revoked.